

1 I. NEEL CHATTERJEE (STATE BAR NO. 173985)
nchatterjee@orrick.com
2 DEBORAH E. FISHMAN (STATE BAR NO. 197584)
dfishman@orrick.com
3 ROBERT W. RICKETSON (STATE BAR NO. 148481)
ricketson@orrick.com
4 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
5 Menlo Park, CA 94025
Telephone: +1-650-614-7400
6 Facsimile: +1-650-614-7401

7 J. PETER COLL (NY STATE BAR NO. 1479492) (*Pro Hac
Vice Pending*)

8 pcoll@orrick.com
KAREN D. THOMPSON (NY STATE BAR NO. 4242814)
(*Pro Hac Vice Pending*)

9 kthompson@orrick.com
10 ORRICK, HERRINGTON & SUTCLIFFE LLP
666 Fifth Avenue
11 New York, NY 10103-0001
Telephone: +1-212-506-5000
12 Facsimile: +1-212-506-5151

13 Attorneys for Defendant
NVIDIA Corporation

14
15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18
19 RAMBUS, INC.,

20 Plaintiff,

21 v.

22 NVIDIA CORPORATION,

23 Defendant.

Case No. C-08-03343 SI

[PROPOSED] ORDER GRANTING
MOTION TO DISMISS AND TO
STRIKE

Date: October 3, 2008
Time: 9:00 a.m.
Judge: The Hon. Susan Illston

The matter before the Court is the Defendant NVIDIA Corporation's Motion to Dismiss and to Strike, or, in the Alternative, for a More Definite Statement. The Court has considered said motion and all papers in support and opposition thereto and, finding good cause, hereby Grants the Motion to Dismiss and to Strike. The alleged claims in the First Amended Complaint herein for willful, induced, and contributory patent infringement are dismissed. Paragraph 31 and paragraphs D and E of the First Amended Complaint are stricken.

If plaintiff elects to amend, it shall file any amended complaint within 30 days of the date of this order.

IT IS SO ORDERED.

Dated: _____, 2008

Honorable Susan Illston
United States District Judge
Northern District of California

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 29, 2008

Dated: October 3, 2008.

Respectfully submitted,

/s/ Robert W. Richeson /s/

Name of Attorney